

**TOWNSHIP OF MANSFIELD  
BURLINGTON COUNTY**

**RESOLUTION 2020-11-7**

**AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES, SUBJECT TO  
POSTING MAINTENANCE GUARANTEES, FOR MARGOLIS WAREHOUSE  
DISTRIBUTION FACILITY, BLOCK 47.01, LOTS 3.02, 9.01, 11 & 12, NOW KNOWN  
AS BLOCK 47.01, LOT 11.01 AND 11.02**

**WHEREAS**, pursuant to the New Jersey Municipal Land-Use Law, N.J.S.40:55D-53, the Township has received a request for the release of performance guarantees posted by the developer of the Margolis Warehouse Distribution Facility, Buildings 1 and 2, Block 47.01, Lots 3.02, 9.01, 11 and 12, now known as Block 47.01, Lots 11.01 and 11.02; and

**WHEREAS**, pursuant to N.J.S.40:55D-53.d(1), the municipal engineer, Remington and Vernick Engineers, has inspected all bonded improvements covered by the developer's request and has filed a detailed report, in writing, with the governing body, with a copy to the developer; and

**WHEREAS**, as required by N.J.S.40:55D-53.d(2), the report prepared by the municipal engineer has identified each bonded improvement determined to be complete and satisfactory, together with a recommendation as to the amount of reduction or release of the performance guarantee in accordance with the itemized cost estimate initially prepared by the municipal engineer; and

**WHEREAS**, as required by N.J.S.40:55D-53.e(1), the governing body has reviewed the report of the municipal engineer, collectively consisting of three letters, all dated October 13, 2020, and attached hereto as Exhibits A, B and C.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Mansfield, County of Burlington, and State of New Jersey, as follows:

**Section 1.** The landscape buffer performance guarantee required by N.J.S.40:55D-53.a (1)b in the amount of \$87,900.00 is hereby released, subject to the posting of a two year maintenance guarantee in the amount of \$13,185.00.

**Section 2.** The safety and stabilization guarantee required by N.J.S.40:55D-53.a (1)d in the amount of \$116,949.38 is hereby released, subject to the posting of a two year maintenance guarantee for the storm water management system only, as required by N.J.S.40:55D-53.a (2)b in the amount of \$29,913.75.

**Section 3.** The performance guarantee for the water improvements in the amount of \$309,022.80 is hereby released. No maintenance guarantee is required.

**Section 4.** The performance guarantee for the sewer main extension improvements in the amount of \$1,010,610.00 and the safety and stabilization bond for same, in the amount of \$27,606.10 are hereby released. No maintenance guarantees required; and

**BE IT FURTHER RESOLVED** that the developer has posted the required Maintenance Guarantees and the Township Attorney has reviewed and approved them as to form; and

**BE IT FURTHER RESOLVED** that this Resolution shall not take effect until all outstanding bills for inspection and other engineering services by the municipal engineer are paid in full. Upon certification by the Chief Financial Officer that all outstanding escrow bills for inspection and other engineering services, and payment for the preparation of this Resolution, are paid in full, the developer shall be released from liability pursuant to its performance guarantees with respect to those inspected and approved bonded improvements and the original performance guarantee shall be returned to the developer or the surety posting same.

**MOTION: OCELLO**

**SECOND: MAGEE**

**ROLL CALL VOTE**

**AYES: OCELLO, MAGEE, HIGGINS, CAIN, DIGIUSEPPE**

**NAYS: NONE**

**ABSTAIN: NONE**

**ABSENT: NONE**

**CERTIFICATION**

**I, LINDA SEMUS, RMC, CMR** Municipal Clerk of the Township of Mansfield, do hereby certify the foregoing to be a true and accurate copy of the resolution adopted by the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey at a meeting held on November 18, 2020 at 7:00PM at the Mansfield Township Municipal Complex.

  
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**LINDA SEMUS, RMC, CMR, Municipal Clerk**